

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**April 13, 2009**

**TO:** Honorable Jim McReynolds, Chair, House Committee on Corrections

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB3228** by Madden (Relating to the offense of prohibited substances and items in correctional facilities. ), **Committee Report 1st House, Substituted**

<b>No significant fiscal implication to the State is anticipated.</b>
---

The bill would amend the Penal Code relating to prohibited substances and items in correctional facilities. The bill would make providing a wireless communications device or a component of a wireless communications device or cellular telephone to a person in a municipal or county jail punishable as a felony of the third degree. The bill would provide for the enhancement of punishment for criminal attempt of certain prohibited substances and items in correctional facility offenses.

The bill would take effect on September 1, 2009 and would apply to an offense committed on or after the effective date.

Under current law and policy, and under the proposed bill, it is assumed the number of persons affected would not result in a significant impact on programs and workload of state corrections agencies or on the demand for resources and services of those agencies.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 696 Department of Criminal Justice

**LBB Staff:** JOB, ESi, GG, TMP